

104TH CONGRESS
1ST SESSION

H. R. 1167

To amend the Internal Revenue Code of 1986 to allow a deduction for certain adoption expenses.

IN THE HOUSE OF REPRESENTATIVES

MARCH 8, 1995

Mrs. LOWEY (for herself and Mr. WYDEN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to allow a deduction for certain adoption expenses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEDUCTION FOR CERTAIN ADOPTION EX-**
4 **PENSES.**

5 (a) GENERAL RULE.—Part VII of subchapter B of
6 chapter 1 of the Internal Revenue Code of 1986 (relating
7 to additional itemized deductions for individuals) is
8 amended by redesignating section 220 as section 221 and
9 inserting after section 219 the following new section:

1 **“SEC. 220. CERTAIN ADOPTION EXPENSES.**

2 “(a) ALLOWANCE OF DEDUCTION.—In the case of an
3 individual, there shall be allowed as a deduction for the
4 taxable year the amount of the qualified adoption expenses
5 paid or incurred by the taxpayer during such taxable year.

6 “(b) LIMITATIONS.—

7 “(1) MAXIMUM DOLLAR AMOUNT.—The aggre-
8 gate amount of adoption expenses which may be
9 taken into account under subsection (a) with respect
10 to the adoption of a child shall not exceed \$2,500.

11 “(2) DENIAL OF DOUBLE BENEFIT.—

12 “(A) IN GENERAL.—No deduction shall be
13 allowable under subsection (a) for any expense
14 for which a deduction or credit is allowable
15 under any other provision of this chapter.

16 “(B) GRANTS.—No deduction shall be al-
17 lowable under subsection (a) for any expenses
18 paid from funds received under any Federal,
19 State, or local program.

20 “(c) QUALIFIED ADOPTION EXPENSES.—For pur-
21 poses of this section, the term ‘qualified adoption ex-
22 penses’ means reasonable and necessary adoption fees,
23 court costs, attorneys fees, and other expenses which are
24 directly related to the legal adoption of a child by the tax-
25 payer and which are not incurred in violation of State or
26 Federal law.”

1 (b) DEDUCTION ALLOWED WHETHER OR NOT TAX-
2 PAYER ITEMIZES OTHER DEDUCTIONS.—Subsection (a)
3 of section 62 of such Code is amended by inserting after
4 paragraph (15) the following new paragraph:

5 “(16) ADOPTION EXPENSES.—The deduction
6 allowed by section 220.”

7 (c) CLERICAL AMENDMENT.—The table of sections
8 for such part VII is amended by striking the last item
9 and inserting the following new items:

“Sec. 220. Certain adoption expenses.
“Sec. 221. Cross reference.”

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to taxable years beginning after
12 the date of the enactment of this Act.

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